

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

FRANCISCO SOTELO,)
Petitioner,)
v.) No. 1:04-CV-329
UNITED STATES OF AMERICA,) Chief Judge Curtis L. Collier
Respondent.)

ORDER

For the reasons set forth in the accompanying Memorandum, the Court finds Petitioner Francisco Sotelo's conviction and sentencing were not in violation of the Constitution or laws of the United States and therefore **DENIES** Petitioner's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (Court File No. 1). Further, the Court certifies any appeal in this matter by Petitioner would not be taken in good faith and no certificate of appealability will issue pursuant to 28 U.S.C. § 2253(c).

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE